

AMENDMENT UNDER 37 C.F.R. § 1.111  
Application No.: 10/595,516

Attorney Docket No.: Q94636

**AMENDMENTS TO THE DRAWINGS**

One Sheet of Drawings

Attachment: 1 Replacement Sheet

**REMARKS**

***Preliminary Matters:***

Applicant thanks the Examiner for indicating that Applicant's claim to priority and receipt of the priority document in the national Stage application from the International Bureau. Further, it is noted with appreciation that the Examiner has considered the references cited in the Information Disclosure Statements filed on April 25, 2006 and February 20, 2007.

***Drawings:***

The Examiner has objected to the drawings because the valve plug (5) in Figures 1-3 should be illustrated with cross-hatching so that the element can be differentiated from the flow passages and the stem (4). Applicant has so-amended Figures 1-3.

***Specification:***

The Examiner has objected to the specification for missing the customary patent headings. Applicant has amended the specification to include the appropriate headings. Applicant has also added a new Abstract of the Disclosure which is devoid of any legalize language (e.g., "comprising").

***Disposition of Claims:***

Claims 1-5 and 7-13 are all the claims pending in the application and have been rejected. Claim 13 has been objected to for hyphenating the word "outlet". Applicant has amended claim 13 to overcome the informality. In addition, Applicant has amended claims 1-3, 5, 7-9 and 11-13 to more particularly claim the invention and patentably distinguish over the prior art, as discussed below.

***Claim Rejections Under 35 U.S.C. § 103:***

Claims 1-5 and 7-13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Newberg (U.S. Patent No. 7,389,792). For the following reasons, Applicant respectfully traverses this rejection.

Applicant has amended claims 1, 7 and 12 to state that the first valve plug is placed inside the valve chamber. This feature is clearly seen in the Fig. 1-4. Further amendments are found in claim 1, where the language "are positioned in such a manner that the second valve plug" has been inserted. This language was originally in the claim at the PCT stage, but was inadvertently not carried over to the subject application. Finally, claims 12 and 13 have been amended to conform with U.S. format. For the following reasons, it is submitted that the claims patentably distinguish over the prior art.

The Newberg patent generally relates to dip tube valve assemblies, of which, when put into use, the tip of a tube enters into a liquid from which samples are to be taken. This entails that the dip tube valve assemblies of Newberg are applicable in a vertical installation, i.e. with sampling tip of the dip tube pointing downwards "*although it can be used effectively at angles of installation down to horizontal*", cf. Newberg, column 3, lines 59-61.

The Newberg patent, Fig. 14 discloses a tip of a dip tube, comprising a valve with two valve plugs and two valve seats in succession, thus providing seal redundancy, cf. Newberg, column 22, lines 8-10. Seal redundancy and problems related thereto in general is discussed in Newberg, column 3, lines 23-37.

The first valve plug providing the primary seal of the Newberg patent Fig. 14 is provided on the outside of the valve housing and outside the valve chamber.

Contrary to this teaching of the Newberg patent, the present invention relates to a sampling valve in which the first valve plug, and also the second valve plug, is placed inside the valve chamber, not to provide a redundant seal, but for cutting off passage of liquid samples and disinfection fluid, respectively, to an area of the valve chamber at the outlet.

The Newberg patent does not disclose, nor renders obvious, a sampling valve having a first valve plug inside a valve chamber and a second valve plug cutting off, through abutment against a second valve seat an area of the valve chamber at an outlet (which implies that the second valve plug must also be inside the valve chamber).

As mentioned, the valves according to the Newberg patent are usable in installations from vertical down to horizontal.

By providing according to claim 7, that "the outlet from a mouth in the valve chamber, bordering on the second valve seat, extends away from an end of the valve body, in which the sample inlet is positioned", it is provide that the valve is usable in installations down to vertical, cf. the description page 9, lines 6-10. This feature is neither provided for nor rendered obvious by the Newberg patent.

Since the embodiment according to Fig. 14 of the Newberg patent aims at seal redundancy the valve of Newberg would not be used in accordance with the process outlined in claim 12, which is thus not rendered obvious by the Newberg patent.

***Conclusion:***

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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WASHINGTON OFFICE

**23373**

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